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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 09-0880 JSW
Plaintiff,) STIPULATION AND [PROPOSED]
v.) PRELIMINARY ORDER OF FORFEITURE
ALBERTO GODINEZ-GALARZA,)
Defendant.)

Pursuant to Rule 32.2(b) of the Federal Rules of Criminal Procedure, the undersigned submits this proposed preliminary order of forfeiture.

On May 18, 2010, pursuant to a plea agreement, the defendant pleaded guilty to Count Two of the Superseding Indictment for a violation of 18 U.S.C. § 922(g)(5), Illegal Alien in Possession of a Firearm. The Superseding Indictment contains a firearms forfeiture allegation. The parties entered into a plea agreement where the defendant agrees to forfeit all firearms or

1 contraband seized by law enforcement from his possession or control, including the Tanfoglio
2 brand .45 caliber pistol, the AKM 7.62 caliber machine gun, a Colt brand model Super 38 Auto,
3 .38 caliber pistol, and a Ruger rifle, .22 caliber, a Wards Hercules shotgun, .20 gage, a
4 Remington rifle, .22 caliber, and a Sterling Arms pistol, .22 caliber.

5 Accordingly, the Court has determined, based upon the defendant's plea agreement, that all
6 property named in paragraph 11 of the plea agreement is subject to forfeiture pursuant to 18
7 U.S.C. § 924(d), that the defendant had an interest in such property, and that the government has
8 established the requisite nexus between such property and the offenses.
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10 MELINDA HAAG
11 United States Attorney

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13 DATED: September 10, 2010

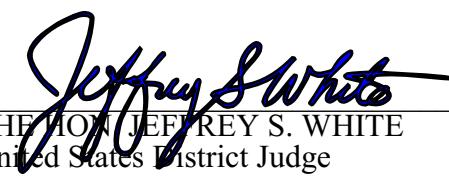
/s/
14 PATRICIA SPALETTA
Special Assistant United States Attorney

15
16 DATED: September 10, 2010

/s/
17 RONALD TYLER
Attorney for Godinez-Galarza

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19 SO ORDERED.

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21 DATED: September 13, 2010


THE HON. JEFFREY S. WHITE
United States District Judge